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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Patagonia Area Resource Alliance, et al.,

10 Plaintiffs,

11 v.

12 United States Forest Service, et al.,

13 Defendants.
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No. CV-23-00280-TUC-JGZ

ORDER

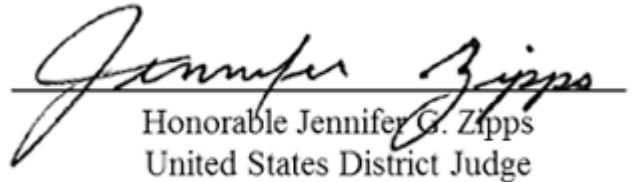
15 Pending before the Court is the Town of Patagonia's Motion for Leave to File
16 Amicus Memorandum in Support of Plaintiffs' Motion for Preliminary Injunction and to
17 Participate as Amicus Curiae. (Doc. 35.) The Town of Patagonia wants to represent the
18 environmental and economic interests of its residents and ensure the continued safety and
19 adequacy of its water supply. (*Id.* at 2.) According to the Town, the proposed drilling
20 operations at issue in this case are within its Municipal Supply Watershed. (*Id.*) Plaintiffs
21 have consented to the Town's Motion. (*Id.*) Federal Defendants and South32 Hermosa Inc.
22 take no position. (*Id.*) At the time of filing, no response was received from Arizona
23 Standard LLC. (*Id.*)

24 District courts have broad discretion to appoint amici curiae. *Hoptowit v. Ray*, 682
25 F.2d 1237, 1260 (9th Cir. 1982), *abrogated on other grounds by Sandin v. Conner*, 515
26 U.S. 472 (1995). Generally, an individual seeking to appear as amicus need only make a
27 showing that her participation would be useful or otherwise desirable to the court. *In re*
28 *Roxford Foods Litig.*, 790 F. Supp. 987, 997 (E.D. Cal. 1991). The Town has made such a

1 showing here.

2 Accordingly, **IT IS ORDERED** that the Town of Patagonia's Motion (Doc. 35) is
3 **granted**. The Town of Patagonia may file its Amicus Memorandum.

4 Dated this 24th day of July, 2023.

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8 Honorable Jennifer G. Zipp
9 United States District Judge
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